

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

LARRY JAMES,

Plaintiff,

v.

§ CIVIL ACTION NO. H-09-1202

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

§

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

This court has reviewed the Memorandum and Recommendation of the United States Magistrate Judge signed on August 3, 2010 and has made a *de novo* determination of the recommended disposition. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). No objections have been filed. This court finds that the Memorandum and Recommendation should be, and is, adopted as this court's Memorandum and Order. Accordingly, this court finds that the ALJ's decision to deny disability benefits to Larry James was supported by substantial evidence and properly applied the governing law. This court grants the defendant's motion for summary judgment, denies the plaintiff's motion, and enters final judgment by separate order.

SIGNED on August 23, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge